

In the United States District Court
For the Eastern District of Oklahoma

Darren Lee Price Jr.,
Plaintiff,

Case No. CIV-22-112-JFH-JAR

vs.

CoreCivic, et al,
Defendant.

FILED

OCT 19 2022

BONNIE H. CKLER
Clerk, U.S. District Court

By _____ Deputy Clerk

Mr. Price's, (Plaintiff), Motion to Negotiate and Reach Settlement
Agreement and/or Motion for Trial by Jury

Comes Now Darren Lee Price Jr, Plaintiff, respectfully submitting
before this Court his Motion to Negotiate and Reach Settlement
agreement and/or motion for Trial by Jury, pursuant to 42 U.S.C.
Section 1983

Respectfully Submitted,
Plaintiff

DLP
Darren Lee Price Jr. ODoc #621929
6888 East 133rd Road
Holdenville, OK 74848
(405) 379-6400

See all filings before this Court in Case No. CIV-22-112-JFH-JAR on 8/19/2022 by Defendant, Core Civic, et al., Report of Review of Factual Basis of Claims Asserted in Civil Rights Complaint pursuant to 42 U.S.C. Section 1983 pages 1 through 8; Defendant's Answer to Plaintiff's Complaint pages 1 through 7; Special Report Ex. 1 Incident Report (Redacted) pages 1 through 6; Special Report Ex. 2 Affidavit of Chief Brown pages 1 through 4; Special Report Ex. 3 Oklahoma DOC Grievance policy (OP-090124) pages 1 through 23; Special Report Ex. 4 Affidavit of Grievance Coordinator Terry Underwood pages 1 through 3; and Special Report Ex. 5 Grievance No. No. 2021-1001-00391- & pages 1 through 6.

It's clear no wrong was committed by Mr. Price (Plaintiff), yet Mr. Price was wrongfully extracted from his cell and ordered by Davis Correctional Facility staff to exit his room naked and expose his genitals in front of staff and inmates in violation of TITLE 57 § 9 Penalty for Cruelty to Prisoners; Prison Rape Elimination Act of 2003; Farmer v. Brennan, 511 U.S. 825 [128 L. Ed. 2d 811] (1994), The Supreme Court ruled that deliberate indifference to the substantial risk of sexual assault violates prisoners rights under the Cruel and Unusual punishments Clause of the 8th Amendment; Due process Clause of the Fourteenth Amendment and Section 5 of the Fourteenth Amendment.

Mr. Price complied with all administrative remedies etc, to receive the relief he needed and instead of compensating Mr. Price for the wrong done to him, The Defendant, Core Civic, et al, comes up with several defenses on why Core Civic is justified and shouldn't have to answer for their error. Core Civic comes up with excuses to minimize faults when prison officials are expected to be trained in advance to handle properly these types of occurrences and NO MATTER a inmates sentence, inmates should not expect or look forward to wrongful, accidental, or mistaken cell extraction naked in front of inmates and staff at staff orders as evidenced by the other unidentified inmates subjected to wrongful treatment that were also cleared of wrongdoing.

Conclusion

If Core Civic is unwilling to negotiate compensation with Mr. Price and reach a mutual agreement then Trial by Jury should be ordered and scheduled to redecide standard to meet to determine if inmates should be compensated for wrongs done by their custodians at no fault of the inmate.

The factual actions against Mr. Price were also physical in nature but staff had already covered up evidence by the time it could be documented by Mr. Price, Plaintiff, and reviewing Authorities as revealed in Defendant's Report of Review of Factual Basis of Claims Asserted in Civil Rights Complaint pursuant to 42 U.S.C. Section 1983 and additional filings in support made by Defendant on 8/19/2022 in this case now before this Court.

Mr. Price now expresses willingness to negotiate compensation and reach a mutually acceptable settlement agreement with Core Civic, and Request this Court to Recommend Core Civic negotiate with Mr. Price and reach agreement or schedule a Trial by Jury if no agreement can be reached.

Certificate of Service

I hereby certify that on October, 14th, 2022 I served the attached document by regular US Mail to the Clerk of Court and Darrell L. Moore, Attorney for Defendant Core Civic, Inc., by mailing with postage affixed (1) copy to each of the following addresses:

Pat Kearney - Clerk of Court

U.S. Courthouse

101 North 5th Street Rm. 208

Muskogee, OK 74401-6203

Attorney for Core Civic, Inc.,

Darrell L. Moore

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Pryor, OK 74362

D-L-P-Jr
Darren Lee Price Jr.